IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5953 of 2005

Between:

S. Nagadeva Kumar, S/o Jagannayakulu,
R/o Tanuku, West Godavari District.

..... PETITIONER

AND

The Station House Officer, Tanuku Town P.S., Tanuku,
West Godavari District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent authority in harassing the petitioner and also summoning him to the police station, without any complaint, and without registering any crime, is illegal, arbitrary, un-constitutional, without jurisdiction, and violative of Art 19(1) (d) and 21 of the Constitution of India, and consequently direct the respondent not to harass and summon the petitioner to the police station, without registering any crime, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.J.SREENIVASA RAO

Counsel for the Respondent: G.P. FOR HOME

The Court at the stage of admission made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.5953 OF 2005

ORAL ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home, and at their request the present writ petition is taken up for disposal, at the stage of admission.

2. This writ petition is filed to declare the action of the respondent's authority in harassing the petitioner and also summoning him to the Police Station without registering any crime, as illegal, arbitrary, unconstitutional, without any jurisdiction and violative of Articles 19 (a) (d) and 21 of the Constitution of India and for a consequential direction to the respondent not to harass and summon the petitioner to the Police Station without registering any crime.

3.The grievance of the petitioner is that the respondent is calling the petitioner to the police station without registering any crime against him. It is needless to say that if there is any complaint against the petitioner, a crime can be registered and the matter can be investigated into further. Till such time, no coercive steps are

permissible under law.

4. With the above observations, the writ petition is disposed of, at the stage of admission. However, there shall be no order as to costs.

D.S.R.VARMA, J

24TH MARCH, 2005

ISN

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

(1). The Station House Officer, Tanuku Town P.S., Tanuku,

West Godavari District.

(2). Two CCs to the Government Pleader for Home, High Court

Buildings, Hyderabad (OUT).

(3). To CD copies.